

Patent  
Attorney Docket: AUS920010772US1  
(IBM/0027)

IN THE CLAIMS:

Please amend the claims according to the following replacement claim set:

1. (Currently Amended) A method of operating an optical disk player comprising:
  - receiving an instruction to read audio, video or audio/video data from an optical disk within the optical disk player, wherein the data is to be provided to an output means at a known playback rate;
  - reading the data from the optical disk at a rate that is greater than the known playback rate;
  - recording in an index database information parameters selected from a title of the optical disk, a title of a track of the data written to the hard disk, or combinations thereof;
  - comparing the information parameters of the data with information parameters of data previously recorded in the index;
  - determining whether the optical disk or the track has previously been written to the hard disk;
  - playing the data from the hard disk without re-reading the optical disk if the data has been previously written to the hard disk and turning off the optical disk player;
  - storing the data on a hard disk as the data is being read if the data was not previously stored on the hard disk;
  - providing the data to the output means at the known playback rate while the data is being stored;
  - turning off the optical disk player as soon as the data has been read and stored; and then continuing to provide the data to the output means at the known playback rate by retrieving the data stored on the hard disk.
2. (Original) The method of claim 1, wherein the step of turning off the optical disk player includes turning off a spin motor within the optical disk player.
3. (Original) The method of claim 1, wherein the data is selected from all the data on the optical disk or a track of the data on the optical disk, wherein the beginning of each track is identified in a table of contents for the optical disk.

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4. (Original) The method of claim 1, wherein the output means is selected from a speaker, a set of speakers, a video display or combinations thereof.

5. (Original) The method of claim 1, further comprising:

converting the data to a different computer readable format before storing the data on the hard disk.

6. (Original) The method of claim 5, wherein the format is selected from MP3, WMA, WAV, Ogg, VQF or AAC.

7. (Original) The method of claim 5, wherein the format is any format that reduces the memory space required to store the data on the hard disk.

8. (Cancelled)

9. (Currently Amended) The method of claim [[8]] 1, further comprising:

recording information parameters in the index database selected from artist of the track, artist of the optical disk, date the file was last played from the hard disk, or combinations thereof; and

arranging data in the index database, wherein the data is arranged in groups selected from alphabetically by artist, alphabetically by titles, or by date the file was last accessed.

10. (Original) The method of claim 1, further comprising:

searching the hard disk for presence of the data; and

playing the data from the hard disk without re-reading the optical disk.

11. (Original) The method of claim 1, further comprising:

designating in an index database that a first file is to be permanently stored on the hard disk;

and

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erasing automatically from the hard disk a second file not played for a designated set period of time and not designated in the index database that the second file is to be permanently stored on the hard disk, , wherein the first and second files contain the data stored on the hard disk at different times.

12. (Currently Amended) A computer program product comprising:

receiving instructions for receiving an instruction to read audio, video or audio/video data from an optical disk within an optical disk player, wherein the data is to be provided to an output means at a known playback rate;

reading instructions for reading the data from the optical disk at a rate that is greater than the known playback rate;

recording instructions for recording in an index database information parameters selected from a title of the optical disk, a title of a track of the data written to the hard disk, or combinations thereof;

comparing instructions for comparing the information parameters of the data with information parameters of data previously recorded in the index;

determining instructions for determining whether the optical disk or the track has previously been written to the hard disk;

playing instructions for playing the data from the hard disk without re-reading the optical disk if the data has been previously written to the hard disk and turning off the optical disk player;

storing instructions for storing the data on a hard disk as the data is being read if the data was not previously stored on the hard disk;

providing instructions for providing the data to output means at the known playback rate while the data is being stored;

turning off instructions for turning off the optical disk player as soon as the data has been stored; and then

continuing instructions for continuing to provide the data to the output means at the known playback rate by retrieving the stored data.

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13. (Original) The computer program product of claim 12, wherein the step of turning off the optical disk player includes turning off a spin motor within the optical disk player.

14. (Original) The computer program product of claim 12, wherein the data is selected from all the data on the optical disk or a track of the data on the optical disk, wherein the beginning of each track is identified in a table of contents for the optical disk.

15. (Original) The computer program product of claim 12, wherein the output means is selected from a speaker, a set of speakers, a video display or combinations thereof.

16. (Original) The computer program product of claim 12, further comprising:  
converting instructions for converting the data to a different computer readable format before storing the data on the hard disk.

17. (Original) The computer program product of claim 16, wherein the format is selected from MP3, WMA, WAV, Ogg, VQF or AAC.

18. (Original) The computer program product of claim 16, wherein the format is any format that reduces the memory space required to store the data on the hard disk.

19. (Cancelled)

20. (Currently Amended) The computer program product of claim 19, further comprising:  
recording instructions for recording information parameters in the index database selected from artist of the track, artist of the optical disk, date the file was last played from the hard disk, or combinations thereof; and  
arranging data in the index database, wherein the data is arranged in groups selected from alphabetically by artist, alphabetically by titles, or by date the file was last accessed.

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21. (Original) The computer program product of claim 12, further comprising:  
searching instructions for searching the hard disk for presence of the data; and  
playing instructions for playing the data from the hard disk without re-reading the optical disk.

22. (Original) The computer program product of claim 12, further comprising:  
designating instructions for designating in an index database that a first file is to be permanently stored on the hard disk; and  
erasing instructions for erasing automatically from the hard disk a second file not played for a designated set period of time and not designated in the index database that the second file is to be permanently stored on the hard disk, wherein the first and second files contain the data stored on the hard disk at different times.

23. (Currently Amended) An apparatus comprising:  
means for receiving an instruction to read audio, video or audio/video data from an optical disk within an optical disk player, wherein the data is to be provided to an output means at a known playback rate;  
means for reading the data from the optical disk at a rate that is greater than the known playback rate;  
means for recording in an index database information parameters selected from a title of the optical disk, a title of a track of the data written to the hard disk, or combinations thereof;  
means for comparing the information parameters of the data with information parameters of data previously recorded in the index;  
means for determining whether the optical disk or the track has previously been written to the hard disk;  
means for playing the data from the hard disk without re-reading the optical disk if the data has been previously written to the hard disk and turning off the optical disk player;  
means for storing the data on a hard disk as the data is being read if the data was not previously stored on the hard disk;

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means for providing the data to an output means at the known playback rate while the data is being stored;

means for turning off the optical disk player as soon as the data has been stored; and then means for continuing to provide the data to the output means at the known playback rate by retrieving the stored data.

24. (Original) The apparatus of claim 23, wherein the means for turning off the optical disk player includes means for turning off a spin motor within the optical disk player.

25. (Original) The apparatus of claim 23, wherein the data is selected from all the data on the optical disk or a track of the data on the optical disk, wherein the beginning of each track is identified in a table of contents for the optical disk.

26. (Original) The apparatus of claim 23, wherein the output means is selected from a speaker, a set of speakers, a video display or combinations thereof.

27. (Original) The apparatus of claim 23, further comprising:

means for converting the data to a different computer readable format before storing the data on the hard disk.

28. (Original) The apparatus of claim 27, wherein the format is selected from MP3, WMA, WAV, Ogg, VQF or AAC.

29. (Original) The apparatus of claim 27, wherein the format is any format that reduces the memory space required to store the data on the hard disk.

30. (Cancelled)

31. (Currently Amended) The apparatus of claim 30, further comprising:

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means for recording information parameters in the index database selected from artist of the track, artist of the optical disk, date the file was last played from the hard disk, or combinations thereof; and

means for arranging data in the index database, wherein the data is arranged in groups selected from alphabetically by artist, alphabetically by titles, or by date the file was last accessed.

32. (Original) The apparatus of claim 23, further comprising:

means for searching the hard disk for presence of the data; and

means for playing the data from the hard disk without re-reading the optical disk.

33. (Original) The apparatus of claim 23, further comprising:

means for designating in an index database that a first file is to be permanently stored on the hard disk; and

means for erasing automatically from the hard disk a second file not played for a designated set period of time and not designated in the index database that the second file is to be permanently stored on the hard disk, , wherein the first and second files contain the data stored on the hard disk at different times.